

REMARKS

The Office Action dated July 18, 2001 has been received and carefully noted. The above amendments and the following remarks are submitted as a full and complete response thereto. Claim 11 has been amended to correct a minor error in that claim. No new matter has been added. Claims 1-11 are respectfully submitted for consideration.

The Office Action notes that a certified copy of the priority document has not been received by the Patent Office. The certified copy of the priority document is enclosed herewith this Response to the Office Action. Acknowledgement of receipt of the priority document is respectfully requested. Additionally, the Office Action also objected to the drawings, specifically Figs. 8-11, as not being designated by a legend such as "Prior Art." Applicants have filed a Drawing Correction, enclosed herewith, that adds such a legend to Figs. 8-11. Approval of the Drawing Correction is respectfully requested.

Claims 1-11 are pending in the above-cited application and have been examined. Claims 2-6 were rejected under 35 U.S.C. §112, first paragraph, as not being enabled by the specification. The Office Action alleges that claim 2 recites that output power is increased as output voltage is decreased and that this is not possible. With respect to claim 3, the Office Action takes exception to the recitation that the load is infinite. Applicants respectfully traverse the above rejection as discussed below.

While the Office Action is correct to assert that the $\text{Power} = (\text{Voltage})^2 / \text{Resistance}$, that does not prove the conclusion. The output power would decrease with the voltage if the resistance is constant and such a relationship is shown

in Fig. 3A for voltages less than V_{12} , even though the resistance is not constant. As explained in the specification, pp 8-11, specifically equation (4), for voltages greater than V_{12} , the output power decreases with increasing voltages. As such, Applicants respectfully assert that the language of claim 2 is fully enabled by the specification of the present invention.

Similarly, Applicants respectfully assert that claim 3 does not recite an infinite load, but rather where "the load resistance is substantially infinite." As discussed at page 10, lines 23 to page 11, line 6, the substantially infinite load resistance is equivalent to an open circuit or equivalently infinite, which is clearly understood by one of ordinary skill in the art. Also, the recitation of "passage of time" is definite and is clearly supported by the disclosure of the present application. As such, Applicants respectfully assert that the language of claim 3 is fully enabled by the specification of the present invention.

In addition, the Office Action also rejected claim 11 under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action alleges that it is not clear if the "control section" recited in claim 11 refers back to the control section of claim 9 or the general controlling means recited in claim 1. In response, Applicants have changed claim 11's dependency to depend from claim 9 to clear up the discrepancy.

Claims 1-10 were rejected under 35 U.S.C. §102(e) as being anticipated by *Da Ponte et al.* (U.S. Patent No. 6,175,217). Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Da Ponte et al.* in view of *Clark* (U.S. Patent No. 4,827,393). Applicants note that the priority document, 11-144284, has a filing date of May 24, 1999, and that that date is before the §102(e) Date, June 18, 1999, of the *Da*

Ponte et al. reference. As such, the *Da Ponte et al.* reference can be antedated by perfecting the foreign priority of the present application under §119. In order to perfect the priority, Applicants have submitted a verified translation of the priority document. Applicants respectfully assert that the translation provides §112 support for the present application. Applicants respectfully assert that foreign priority has now been perfected and Applicants respectfully assert that the rejections based on *Da Ponte et al* are improper and should be withdrawn. Applicants therefore respectfully request that claims 1-11 be found allowable, and this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 1-2300.

Respectfully submitted,



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MARKED-UP COPY OF THE CLAIMS

11. (Amended) The electric power supply system according to claim [8] 9, wherein said control section controls said switching element by means of a PWM control.